



**CITY OF COLONIAL HEIGHTS, VIRGINIA
MEETING OF THE PLANNING COMMISSION**

City Hall – 201 James Avenue

Tuesday, October 1, 2019

7:00 p.m.

Minutes

I. Call to Order

Mr. Hartson called the meeting to order at 6:58 pm.

II. Roll Call

Present:

Mr. Hartson

Mr. Wade

Mr. Kohan

Mr. Cherry

Mrs. Schiff

Absent:

Ms. Hamilton

Mr. Kollman

Also Present:

Mr. Fisher

Ms. Hall

Mr. Flippen

Mr. Smith

III. Determination of Quorum

A quorum was determined.

IV. Approval of Agenda

Mrs. Schiff moved to approve the agenda and Mr. Wade seconded, with all commissioners in favor.

V. Approval of Minutes for September 3, 2019 meeting

Mr. Cherry moved to approve the minutes and Mrs. Schiff seconded, with all commissioners in favor.

VI. Hearing of Citizens Generally

No citizens spoke.

VII. Public Hearings

A. Planning Commission Resolution 19-4

To grant a special use permit to Colonial Heights School Board to upgrade existing signage and allow for a 16 square foot internally illuminated sign and a 17.9 square foot electronic message board on the existing freestanding sign structure at Tussing Elementary School, 5501 Conduit Road, also known as parcel identification number 6605000000 and being zoned RL – Low Density Residential District.

Ms. Hall explained that the purpose of the special use permit is for an electronic message board and an internally illuminated sign, both of which are not permitted in the Residential Low—RL Zoning District. The code currently does not address civic uses in RL zoning district. However, that may be reconsidered while revising the sign code as Ms. Hall predicts that Planning Commission will see more electronic message board applications. She presented images of the existing and proposed sign with dimensions and proposed use. She also stated that this was the third application for a special use permit for an electronic message board as a civic use in the RL district. Ms. Hall cited ordinance number 15-28 for Mount Pleasant Baptist Church, and 15-30 for the Colonial Heights Public Library as the previous special use permits.

Mr. Remus James, Principal at Tussing Elementary, was present to answer any questions the Planning Commission had regarding the message board.

Mr. Hartson asked Ms. Hall for clarification that Planning Commission was only voting on Resolution 19-4 as the agenda also cited Ordinance 19-22. Ms. Hall explained that Planning Commission 19-4 is a resolution to recommend to Council the approval of Ordinance 19-22.

Mr. Wade stated that he believed the sign to be a good change for the school. Mr. Hartson agreed and stated that he liked the electronic message board at the library and had not heard any complaints about it.

Mrs. Schiff asked Ms. Hall if anyone neighboring the school had complained about the message board. Ms. Hall replied that the Planning Department mailed letters to all the adjacent property owners and she had not received any responses.

Mr. Fisher stated that he believed the school board hopes to eventually put these electronic message boards in all the elementary schools.

Mr. Cherry asked Mr. James about the cost of the board and Mr. James answered it will cost roughly \$11,000.

Mr. Kohan asked who was paying for the message board. Mr. James stated that the PTO was paying for it, and that they had spent the last three to four years fundraising to have the budget to accomplish this. Mr. Wade asked if they had shopped around for such a good price. Mr. James responded that the original cost was \$24,000 and over the last year they negotiated and were able to get a deal.

Mr. Cherry moved to approve resolution 19-4, and Mrs. Schiff seconded the motion.

Vote: 5-0

Yes:

Mr. Hartson

Mr. Wade
Mr. Cherry
Mr. Kohan
Mrs. Schiff

No: None

Abstained: None

Motion: Unanimous Pass

VIII. Old Business

Mr. Hartson said that some citizens had indicated concern regarding the parking at Shepherd Stadium when the new Coastal League team plays there. Mr. Smith stated that the City will accommodate and reconfigure parking as needed, if the attendance is as high as projected.

New Business/Reports

- A.** Introduction of Application for Rezoning and Comprehensive Plan – Land Use Plan Amendment for 137 Pickwick Avenue, parcel identification numbers 40000105020 and 4000010520A.

Ms. Hall explained that she chose to present this introduction of rezoning for 137 Pickwick Avenue prior to the public hearing in order to provide more time for consideration, which is a common procedure in larger localities when items need thorough consideration before voting.

The parcels for this rezoning are located on the corner of Danville and Pickwick Avenues. The current structure was a church, and zoned RO-Residential Office Zoning District. The rest of Pickwick Avenue is zoned BB-Boulevard Business. To the east, parcels are zoned RL-Residential Low Density. To the west, parcels are zoned both RO – Residential Office and BB – Boulevard Business. A property across the street from the parcels was previously rezoned from RO – Residential Office to BB – Boulevard Business in 2016. It was, and still remains, to be an office. Unlike special use permits where the use proposed by the applicant is intrinsic to the permit, in a rezoning, the property may be used for any by-right use. Ms. Hall asked for Planning Commission's consideration as a result.

The co-applicants are Mr. Mark Cummings, the property owner, and his son Mr. Joey Cummings, the business owner and representative for the Special Use Permit. The applicant proposed putting parking on the vacant lot, and using the existing structure as a breakfast and lunch restaurant. Ms. Hall also noted that Mr. Mark Cummings owns the laundromat in Pickwick Square, and the co-applicants have discussed sharing the building to house both the restaurant and the laundromat in the future. As there is no room in the rear of the building for waste disposal, the submitted plans propose placing receptacles on the side of the building. The existing building on the property is nearly a zero-lot setback. If rezoned, there will be buffering requirements to meet the code in regards to the parking lot. The proposal also places the curb cut on Pickwick Avenue, ultimately this will be determined by engineering during the site plan review process. Ms. Hall also noted that the property is less than 20 feet from a residential property, but that the distance from residential is larger than the property across the street that was rezoned to BB in 2016. Ms. Hall then provided a list of the uses allowed under Boulevard Business so that Planning Commission could consider all the possibilities for new businesses with this zoning. She stated that they had several options to proceed with including a special use permit in lieu of a rezoning, or a conditional rezoning in order to restrict the current and future uses.

A representative of the applicant, Mr. Joey Cummings, was present to answer questions. He stated that he was representing his father.

Mr. Hartson stated that based on previous meeting discussions, there seemed to be a consensus with commissioners about promoting redevelopment in the Pickwick area. He believed that rezoning this area BB supports that vision of redevelopment.

Ms. Hall stated that the opposing viewpoint is protection of the neighborhoods. Ms. Hamilton was absent from the meeting, but provided Ms. Hall with her comments concerning encroachment of the neighborhood and felt that RO Zoning District was the appropriate transitional use in that area.

Mr. Cherry asked if the restaurant could open under Residential Office Zoning and Ms. Hall replied no, and explained that RO is almost exclusively offices and some civic uses.

Mrs. Schiff stated that if Planning Commission chose to proceed with a special use permit instead of rezoning they would have more control, for example, preventing a car wash from opening right beside a house. She asked Ms. Hall to verify that, if the applicant proceeded with a Special Use Permit that the Planning Commission would have control of the uses and that if the applicant wanted to change its use he would have to ask permission. Ms. Hall responded yes, and that her only concern is that special use permits do not carry over with ownership, and that new restaurants often have turnover before one sticks. As the applicant would develop the property to make it kitchen ready, it is likely that another restaurant would move in if the applicant sell the property, meaning the new owner would need to obtain a special use permit in order to use the kitchen.

Mr. Wade asked if everything else on Pickwick Avenue is zoned BB. Ms. Hall replied yes.

Mr. Cherry asked Ms. Hall what the cost of rezoning is as he is aware that obtaining a special use permit is expensive. Ms. Hall stated that they are the same cost, which is why the applicant was agreeable to an introduction first even though it ultimately lengthens the process. This introduction prevents two public hearings if he were denied the rezoning and needed to reapply for a special use permit.

Mr. Wade asked if a property could fall under two zoning districts in a transitional area. Ms. Hall replied no, that would be something achieved through the land use plan. The property may be zoned one way, but the land use plan guides how zoning can change in the future. If the land use plan shows an envisioned use that aligns with a different zoning district, then the pathway to rezoning is supported by the land use plan.

Mr. Hartson stated that he did not see much of a difference between the Pickwick Shopping Center on Boulevard and the shops on Pickwick Avenue and Danville Avenue. The separation in zoning districts between BB and RO do not make sense to him; as he sees the whole area as a shopping center. He thought it would make sense to rezone the entire area to BB as that aligns with the vision Planning Commission has been discussing whilst reviewing the comprehensive plan.

Mrs. Schiff asks if the vacant lot on the corner of Pickwick and Danville Avenues once had a house. Ms. Hall replied that she was unsure, but that she would pull the property card to find out.

Mr. Wade stated that the Pickwick area is a goldmine, and that he believes a restaurant would be very successful there.

Mr. Hartson clarified that a decision need not be made, as this is just an introduction. Ms. Hall stated that Planning Commission needs to decide whether they would like the applicant to present conditions. These conditions could set parameters such as hours of operation for current and future

property owners.

Mr. Hartson stated the conditions ought to be comparable to Colonial Square. He does not see the need for it to be substantially more restrictive, as there is nothing open 24/7 in that shopping center. Ms. Hall stated that Colonial Square does not have conditional zoning, and that she would have to look into whether any properties in the City are zoned with conditions.

Mrs. Schiff and Mr. Wade stated that prior to the church, 137 Pickwick Avenue was previously an electronics store, and if they were able to have reasonable business hours without restrictions then, they should be able to rezone without trouble now.

Mr. Cherry agreed with the Chairman that they should not be restrictive in order to foster redevelopment in the Pickwick area. Mrs. Schiff moved to present the public hearing as a rezoning and not special use permit, and Mr. Wade seconded the motion.

Ms. Hall reminded Planning Commission that Mr. Cummings was present to discuss conditions, and that Ms. Hamilton had communicated that she wanted conditions.

Mr. Cherry asked what Ms. Hamilton's conditions were and Ms. Hall replied that Ms. Hamilton had stated she did not want alcohol or lottery tickets to be sold, and had concerns regarding trash and other waste so close to a residence, as well as hours of operation.

Mr. Hartson stated that most restaurant owners will not open without an ABC license, and that having a restaurant on Pickwick Avenue is the first step toward bringing more foot traffic to the area and fostering redevelopment and growth.

Mr. Cummings stated that he was not opposed to a condition of no alcohol, as his restaurant would only be serving breakfast and lunch and went on to say that he loves the area and also desires to help revitalize it. He was very understanding of the idea that his business may not be the best fit as it is so close to a residential property, but that he was willing to work with Planning Commission as he wants to see more growth in the area.

Ms. Hall mentioned that if the laundromat were to move into part of the space, its current operating hours are until 10 pm, but that there are 24-hour laundromats. This business would face Pickwick Avenue, and not Danville Avenue.

Planning Commission recommended to staff to proceed at the next Planning Commission meeting with the Public Hearing for the rezoning of 137 Pickwick Avenue from Residential Office to Boulevard Business.

B. Review Comprehensive Plan Chapter 8

Ms. Hall stated that Mr. Flippen had reviewed Chapter Eight as transportation concerns his department, and presented a document to her with his suggested edits. She asked that he go over his suggestions with Planning Commission.

Mr. Flippen asked Planning Commission how they would like to proceed, and Mr. Hartson asked Mr. Flippen to present all of his changes, as his changes may answer some of the Planning Commissions' comments and concerns regarding the chapter as it stands.

Mr. Flippen began with the fourth paragraph on page 90. This section references the Long Range Transportation Plan 2035, which has been updated as of August 2017 to extend until 2040. As a result, there are several portions of the chapter which must be updated to reflect the change: Map

12 (page 94) and Map 13 (page 97), as well as the table (page 96) which depicts transportation plan projects.

The final change was on page 99 regarding the safe routes to school project. Mr. Flippen stated that the estimated costs were updated for Colonial Heights Middle School and both phases of North Elementary.

Mr. Wade asked Mr. Flippen why Tussing Elementary was not included in the table of planned projects (page 99). Mr. Flippen stated that it reflects current projects in the Capital Improvements Plan, but that he would look into whether Tussing Elementary is eligible. He continued to explain to Mr. Wade what decides the priority of sidewalks, factors such as traffic volume.

Mr. Flippen explained that the project list should be viewed as a living document, and that as priorities appear they will adjust it accordingly. He stated that Tussing and Lakeview Elementary Schools will be revisited when they are prioritized.

Mrs. Schiff asked if there will be sidewalks in the new Lakeview project. Mr. Flippen replied yes, that it will be similar to the Dupuy Avenue project.

Mr. Kohan stated that the mention of the Kroger project (page 102) must be redacted as they are no longer moving forward. Mrs. Schiff asked if the land was still for sale by Kroger, Mr. Hartson responded yes.

Mr. Hartson asked who serves as our city representative on the Metropolitan Planning Organization (MPO). Mr. Flippen responded that the City Engineer, Chuck Henley is on the technical advisory committee, and Mr. Smith stated that Councilman Wood is on the policy committee.

Mr. Hartson then asked if Interstate 95 was a problem. He recognizes the amount of traffic in the area on the interstate and wondered if it affected Colonial Heights as the Interstate runs through the city. Mr. Flippen stated that VDOT recently had some public input meetings associated with I-95 and I-81 corridors, so the state agency has identified there is an issue, and are working towards a solution.

Mr. Wade stated that under Highways (page 91) the statement concerning the roundabout at the interchange of I-95 and Temple Avenue can be removed or restated as that project is complete. Mr. Fisher suggested a rephrasing to demonstrate that a goal has been accomplished.

Mr. Hartson asked if the Bikeways section (page 100) should be removed as it is not feasible. He stated that his understanding of the Boulevard revitalization was that the city did not want to mark a bike lane, as they wanted to maintain the safety shoulders in case of vehicles breaking down. He stated that it is beneficial in funding applications to include bikeways, and that they are encouraged. Ms. Hall stated that at one time there was a graduate student from Virginia Commonwealth University who was interested in doing a pedestrian and bicycle infrastructure study in Colonial Heights as a result of a study that was done in Chesterfield County. She suggested that having a study done would allow the city to have the infrastructure in place, should a budget for such a project be available in the future. Mr. Smith agreed that as other construction occurs, there may be opportunities. He recommended to Planning Commission that they maintain a reference to Bikeways in case of future opportunities. Mr. Flippen referred to the section labeled Complete Streets (page 98) which includes mention of sidewalks and bike lanes as part of the vision of a "Complete Street". He pointed out that the addition of a bike lane and sidewalks on both sides of the street means a very wide roadway, which is something to consider in residential areas.

Mr. Hartson stated that under Taxicab Services (page 92), as Uber and Lyft have become so popular, they should be included or mentioned in the plan or as other forms of public transportation.

Ms. Hall asked Planning Commission to consider adding a reference to the train station as—when the discussion of location was occurring—staff from Chesterfield County made mention to Ms. Hall that they had short and long-range plans for the train station and asked where the train station was listed in Colonial Heights' comprehensive plan. Ms. Hall also asked whether the Ashland-Petersburg Trail should be named in the plan as the two priority options run through Colonial Heights. Mr. Fisher, Mr. Flippen, and Mr. Hartson agreed that putting the Ashland-Petersburg trail in the Comprehensive plan would be prudent.

Mr. Flippen stated that the applications for the City's stretch of Ashland Petersburg trail would likely be submitted in January 2020. He also stated that the trail that seems to be most popular would run along the abandoned railroad track on the western side of the city crossing the Swift Creek Reservoir and running along the western portion of the city and through Virginia State University.

Mr. Kohan asked whether it should be noted under Waterways/Ports (page 92) that there are no passenger boats going out of Hopewell. Ms. Hall replied that the addition of a ferry is included in Hopewell's Plan.

Mr. Wade asked if the Boulevard CSX bridge reconstruction listed in the updated projects table (page 96) includes the train station. Mr. Flippen explained that the bridge is one of the smart scale applications that has not been approved, but that the plan was to widen it to accommodate a third high-speed rail, and in the event of a train station, accommodations would be made as well.

Mrs. Schiff asked if the train station could remain in the Comprehensive Plan as she has not given up on the possibility. Mr. Flippen replied that was why he chose to include it in the project list. Mr. Smith stated that the official statement is that the project is tabled.

Mrs. Schiff also stated that perhaps anything that is being considered should be included in the Comprehensive Plan to prove it was being considered, should opportunities arise.

Mr. Fisher asked about the "Commercial connections" section (page 101), as this is not necessarily a project the state would fund. Ms. Hall stated that any new developments built are required to add sidewalks.

Mr. Hartson asked whether sidewalks and walkways across Temple Avenue are in the Capital Improvement Projects Plan. Mr. Smith replied that they will be part of the signalization project.

Reports

1. Chairman

No report.

2. Director of Planning and Community Development – Ms. Hall stated that Boot Barn had submitted their preliminary site plan. The November meeting will include the consideration of this development as well as the continuation of the Rezoning of 137 Pickwick Avenue.

3. City Engineer or Designee – Asst. Director of Public Works – Mr. Flippen stated that the department is still working on Dupuy Avenue, and the intersection of Conduit

Road and Ellerslie Avenue has ongoing construction but the paving should be completed by mid-October. There is an ongoing emergency sewer project on Lee and Danville Avenues. There are currently four projects out for bid: Hemlock Avenue and Nantucket Court Drainage Improvements, the Holly Avenue and Jamestown Road reconstruction, a request for qualifications for a pump station, and the Temple Avenue Signalization project.

Mr. Kohan asked if there was an update on the funding application for the Cameron Foundation that was submitted for Violet Bank. Mr. Smith stated that he was still waiting to hear back from the Foundation.

4. Others, as necessary or appropriate

a. City Manager – Mr. Smith

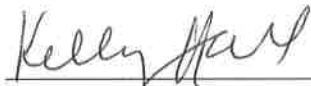
Mr. Smith stated that there had been a naming competition for the new Coastal Plains League baseball team, and the team name would be announced soon. He also stated that a Marco's pizza is coming to Dunlop Village Shopping Center. Mr. Smith began attending the Planning Commissioners training and shared his experience.

b. City Attorney – Mr. Fisher

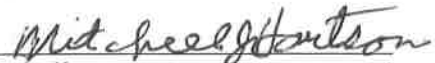
Mr. Fisher indicated to the Planning Commission that larger, faster growing jurisdictions can accept cash proffers to go toward public improvements, such as building libraries and public safety buildings. Colonial Heights is almost entirely "built out" and cannot accept cash proffers.

IX. Adjournment

Mr. Cherry moved to adjourn the meeting and Mr. Wade seconded the motion. The meeting was adjourned at 8:28pm.



Kelly Hall
Secretary



Mitchell Hartson
Chairman